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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5805 OF 2005
IN
CRIMINAL APPEAL NO. OF 2003

The State of Maharashtra ... Appellant

V/s.

Paigambar B. Nadaf & Ors. ... Respondents

Mr.D.R. More, APP, for Appellant
Mr.S.G. Deshmukh for Respondent Nos.1 to 3

CORAM: **V.G. PALSHIKAR, Ag. C.J. & SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 22, 2006**

P.C.:

. This Application seeks leave to appeal against the order passed by the learned Sessions Judge in Sessions Case No.178 of 2003. The learned trial Judge has considered the evidence in its proper perspective and has rejected the evidence of the prosecution for cogent reasons. The learned Judge has also found that the prosecution has failed to explain the injuries of the person and the accused. There is already evidence on record that there was a scuffle between the accused and the complainant. In such circumstances, the acquittal cannot be said to be perverse. No interference is called for. Application rejected.